

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: TANIKA S DAVIS	Case No. 19-15607-amc Chapter 13
Wells Fargo Bank, N.A., Movant	
vs.	
TANIKA S DAVIS, Debtor	

RESPONSE TO MOTION TO MOTION FOR RECONSIDERATION

COMES NOW, Rushmore Loan Management Services, LLC the new servicer of Debtor's loan, (herein, "Respondent") by and through undersigned counsel, and hereby responds to the Motion for Reconsideration [Doc. 142] filed on May 13, 2021 and in support thereof, shows unto the Court as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Denied. By way of further answer, the debtor was delinquent on her mortgage payments to Respondent and the predecessor Wells Fargo Bank, N.A. which is the reason why the Notice of Default and the Certification of Default were both filed. Strict proof to the contrary is demanded at trial.
8. Denied. By way of further answer, the current post-petition delinquency consists of missing payments for 12/01/2020 – 07/01/2021 @ \$1,212.06 each = \$9,696.48. In addition, there are attorney fees of \$500.00 for the Motion for Reconsideration that also needs to be cured

9. Denied. By way of further answer, the debtor has not provided any proof that they can cure the outstanding arrears owed to Respondent. Strict proof is demanded at trial

WHEREFORE, Respondent respectfully requests that a hearing be held in regard to this matter and for any other relief the Court deems just and proper.

This the 30th day of June 2021

/s/ Andrew Spivack

Andrew Spivack (Bar No. 84439)

Attorney for Creditor

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Movant

vs.

TANIKA S DAVIS,
Debtor

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Response to Motion for Reconsideration has been electronically served or mailed, postage prepaid on June 30, 2021 to the following:

TANIKA S DAVIS
8012 OGONTZ AVE
PHILADELPHIA, PA 19150

Demetrius J. Parrish, Attorney for Debtor
7715 Crittenden Street, #360
Philadelphia, PA 19118

Scott F. Waterman, Bankruptcy Trustee
Chapter 13 Trustee
2901 St. Lawrence Ave, Suite 100
Reading, PA 19606

United States Trustee, US Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106

/s/ Andrew Spivack
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